

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 10, 12, and 13 are being amended.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Claims 1-17 are now pending in this application. Applicants thank the Examiner for his detailed response.

I. Rejections under 35 U.S.C. §§ 102 and 103

On page 6 of the Office Action, the Examiner rejected claims 1-3, [6], 7-8 and 10-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication 2006/0072491 (hereafter "Simons"). Applicants note that independent claim 6 is included in the 102(e) rejection section but is not recited in the initial rejection; Applicants respectfully request that the inconsistency be corrected. On page 9 of the Office Action, the Examiner rejected claims 4-5, 9, and 16-17 under 35 U.S.C. § 103(a) as unpatentable over Simons in view of U.S. Patent Application Publication 2004/0170217 (hereafter "Ho"). Applicants have amended claims 1, 10, 12 and 13 and, thus, the rejections (alone or in combination) of claims 1-5, 10, 12 and 13-17 are moot. Further, neither Simons nor Ho anticipate claims 1-5, 10, 12 and 13-17, as amended. Applicants respectfully traverse the rejection of claims 6-9, and 11.

Claims 1, 10, and 13

**A. Simons Does Not Teach A Third Time Interval Before Transmitting/
Receiving A Second Beacon Packet**

On page 4 of the Office Action, the Examiner states:

As currently claimed, the time intervals are not required to be the deciding factor as to whether an action occurs or does not occur. Rather, a time interval may be simply defined according to what

action is occurring, as detailed above. Accordingly, the instant claim should be amended to clearly define how the time intervals are predetermined, what constitutes a time interval, and how it is determined that a time interval is beginning and ending in such a way that makes it clear what the relationship between the time interval and the actions are.

Accordingly, Applicants have amended the independent claims 1, 10, and 13 to include the element “before transmitting a second beacon packet” in order to overcome the Examiner’s rejections. Support for the amendments can be found in at least **FIGS. 6A, 6B, and 7, Para. [0007], [0057]-[0066]**. Neither Simons nor Ho disclose, teach, or suggest “transmitting a confirmation packet to the remote wireless communications device during a third predetermined time interval, the third predetermined time interval immediately following the second predetermined time interval and before transmitting a second beacon packet” (Underlining added.) as required by claims 1, 10, and 13.

The only substantial disclosure in Simons related to forming a piconet is in **Para. [0029]**. **Para. [0044]-[0045]** briefly describe “prevent[ing] future requests for registration.” **Para. [0027]-[0029]** briefly describe registration. In particular, **Para. [0029]** states:

The ZigBee scheme provides basic registration or enumeration processes wherein a secondary station wishing to join a piconet scans for beacons. (An example of a registration process is described in applicant's co-pending international application WO0128157 published 25 Oct. 2001, incorporated herein by reference and to which the reader is now directed). Upon detecting a beacon it may then request registration in which network and device ID's are exchanged (ZigBee defines 64 bit unique identifiers for a device, although in use it is preferable for a coordinator to allocate a device a shorter 16 or 8 bit radio code/identifier). The coordinator stores a routing table of these allocated codes for messaging. Following registration the device is able to exchange radio messages with the coordinator, whilst ignoring messages from other networks or other devices on its network via the ID's representing source/destination/network addresses in header fields of the radio messages.

(Underlining added.) Simons merely states that a registration process takes place. However, **Simons** does not teach, disclose, or suggest how the referenced “basic registration or

enumeration processes” works with enough detail. Rather Simons teaches how “devices compete for channel access.” (Para. [0037].) **Therefore, in Simons, the devices are already registered whereas the present claims are directed towards forming a piconet.**

Ho teaches “wireless personal area networks with frequency hopping and rotation sequences.” In Ho, like Simons, the devices are already registered. Ho explicitly states that piconet has already formed: “FIG. 1 shows a number of electronic devices that have cooperated to form two piconets.” (Para. [0012].)

Neither an anticipatory nor an obviousness rejection can be properly maintained where the reference(s) used in the rejection does not disclose all of the recited claim elements. Therefore, for at least the above reasons, Applicants respectfully request withdrawal of the rejection of claims 1, 10, and 13. Claims 2-5 include the elements of claim 1; and claims 14-17 include the elements of claim 13. Therefore, Applicants respectfully request withdrawal of the rejection of claims 1-5, 10, and 13-17.

Claims 6 and 11

B. Simons Does Not Teach Additional Information With A Second Beacon Packet

On page 8 of the Office Action, the Examiner argues:

[a]s per claims 6 and 11, Simons teaches the method in a wireless communications device (fig. 1 and abstract), comprising: ... receiving a request for additional information from a remote wireless communications device during the second predetermined time interval (¶ 0023, and ¶ 0027-0029 and ¶ 0031-0035); and transmitting the additional information with a second beacon packet across the wireless channel (¶ 0023, and ¶ 0029 and ¶ 0031-0040).

Applicants respectfully disagree. Neither Simons nor Ho disclose, teach, or suggest “transmitting the additional information with a second beacon packet” as required by claims 6 and 11.

Para. [0029] describes that the system of Simons may be used at an airport. **Para. [0027]-[0029]** briefly describe registration as discussed above. **Para. [0031]-[0040]** describes the structure of the system of Simons and “compet[ing] for channel access.” In particular, **Para. [0031]** states “The processor also has a link 26 (which may be via a local area network (LAN), or the internet for example) to a database 28 (DB) which stores information (e.g. flight departure gate, flight delay) that may be supplied to a users device 12a,b,c.” . In particular, **Para. [0035]** describes “an example structure of a radio header/payload data packet or message.”

However, Simons does not disclose, teach, or suggest “transmitting the additional information with a second beacon packet” as required by claims 6 and 11. The only information that Simons describes in the Examiner’s citations is data stored in a database (**Para. [0031].**) and data in a data packet (**Para. [0035].**) Notably, this data is transmitted and received in one of the “guaranteed time slots” (FIG. 4 and Para. [0038].) and not in the “second beacon packet” as in claims 6 and 11. Likewise, the registration process of **Para. [0027]-[0029]**, as constructed by the Examiner, on page 2 of the Office Action, fails to use a “a second beacon packet” to “transmit[] the additional information.” Furthermore, “additional information” which is enabled in the present specification is sufficiently distinct from the payload data described in Simons or the “network and device ID’s” argued by the Examiner on page 2 of the Office Action.

Neither an anticipatory nor an obviousness rejection can be properly maintained where the reference(s) used in the rejection does not disclose all of the recited claim elements. Therefore, for at least the above reasons, Applicants respectfully request withdrawal of the rejection of claims 6 and 11. Claims 7-9 include the elements of claim 6. Therefore, Applicants respectfully request withdrawal of the rejection of claims 6-9 and 11.

Claim 12

C. Simons Does Not Teach Without Associating With The Remote Wireless Communications Device

On page 9 of the Office Action, the Examiner argues:

“[a]s per claim 12, Simons teaches a wireless communications device fig. 1 and abstract, comprising: ... means for, immediately following receipt of the beacon packet, sending a response packet to the remote wireless communications device when the remote wireless communications device is the only device transmitting device during the predetermined time interval (¶ 0026-0029 and ¶ 0047).”

Applicants have amended independent claim 12 include the element “without associating with the remote wireless communications device.” Support for the amendment can be found in at least **Para. [0043]**. The rejection of claim 12 is, therefore, moot. Neither Simons nor Ho disclose, teach, or suggest “means for, immediately following receipt of the beacon packet, sending a response packet to the remote wireless communications device without associating with the remote wireless communications device when the remote wireless communications device is the only device transmitting device during the predetermined time interval” as in claim 12.

As discussed above, the only substantial disclosure in Simons related to forming a piconet is in **Para. [0029]**. **Para. [0026]-[0029]** briefly describe registration (i.e. associating). Simons merely states that a registration process takes place. However, Simons does not teach, disclose, or suggest how the referenced “basic registration or enumeration processes” works with sufficient detail to teach or suggest the elements of the amended claims. Rather, Simons teaches how “devices compete for channel access.” (**Para. [0037]**.) Therefore, in Simons, the devices are already registered whereas the present application and claim are directed towards the time before registration. Likewise, Ho teaches “wireless personal area networks with frequency hopping and rotation sequences.” In Ho, like Simons, the devices are already registered. Ho explicitly states that piconet has already formed: “FIG. 1 shows a number of electronic devices that have cooperated to form two piconets.” (**Para. [0012]**.)

An anticipatory rejection cannot be properly maintained where the reference used in the rejection does not disclose all of the recited claim elements. Therefore, for at least the above reasons, Applicants respectfully request withdrawal of the rejection of claim 12.

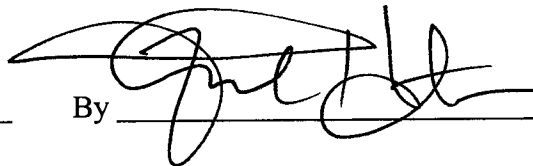
Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extension of time is needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any extension fee to Deposit Account No. 19-0741.

Respectfully submitted,

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By



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